

**MINUTES OF THE REGULAR MEETING OF THE COUNCIL
OF THE CITY OF GLENDALE, MARICOPA COUNTY, ARIZONA,
HELD TUESDAY, NOVEMBER 8, 2005, AT 7:00 P.M.**

The meeting was called to order by Mayor Elaine M. Scruggs, with Vice Mayor Thomas R. Eggleston and the following Councilmembers present: Joyce V. Clark, Steven E. Frate, David M. Goulet, H. Philip Lieberman, and Manuel D. Martinez.

Also present were Ed Beasley, City Manager; Pam Kavanaugh, Assistant City Manager; Craig Tindall, City Attorney; and Pamela Hanna, City Clerk.

COMPLIANCE WITH ARTICLE VII, SECTION 6(c) OF THE GLENDALE CHARTER

A statement was filed by the City Clerk that the two resolutions and two ordinances to be considered at the meeting were available for public examination and the title posted at City Hall more than 72 hours in advance of the meeting.

APPROVAL OF THE MINUTES OF THE OCTOBER 25, 2005 COUNCIL MEETING

It was moved by Goulet, and seconded by Clark, to dispense with the reading of the minutes of the October 25, 2005 regular Council meeting, as each member of the Council had been provided copies in advance, and approve them as written. The motion carried unanimously.

Mayor Scruggs recognized a group of students from Ironwood High School, Mrs. Schmit's government class. Katie Williams, Courtney Baker, Kim Mestek, Cameron Karimi, Amanda Eskinazi, Deanna Richardson, Kristy Lashway, Gretchyn Lauer, Julena Lifsey, Andrew Gaddis, Jose Lopez-Ramos, Ikshwaku Atodaria and Randy Williams II.

CONSENT AGENDA

Mr. Ed Beasley, City Manager, read Agenda Item Numbers 1 through 11 and Ms. Pamela Hanna, City Clerk, read Consent Resolutions Agenda Item Number 12 by number and title. Mr. Beasley requested that item #8 be removed from the Agenda.

1. SPECIAL EVENT LIQUOR LICENSE FOR THE CITY OF GLENDALE – GLITTERS SPECTACULAR

This is a request by Stacy Pearson for the City Council to approve a special event liquor license for the City of Glendale. This event is the annual Glitters Spectacular, coordinated by the City of Glendale Marketing Department, which will be held at 5800 West Glenn Drive.

The event will be held on Friday, November 25, 2005, from 5 p.m. to midnight; and Saturday, November 26, from 5 p.m. to midnight. If this license is approved, the total days expended by this applicant will be two of the allowed 10 days this year.

Under the provisions of Arizona Revised Statutes Sec. 4-203.02, the Arizona Department of Liquor Licenses and Control may issue a special event liquor license only if the City Council recommends approval of such license.

The recommendation was to forward a recommendation for approval to the Arizona Department of Liquor Licenses and Control for this special event liquor license for the City of Glendale.

2. SPECIAL EVENT LIQUOR LICENSE FOR THE CITY OF GLENDALE – ENCHANTED EVENINGS

This is a request by Stacy Pearson for the City Council to approve a special event liquor license for the City of Glendale. This event is Enchanted Evenings, coordinated by the City of Glendale Marketing Department, which will be held at 5800 West Glenn Drive.

The event will be held during the month of December 2005, from 6 p.m. to midnight on the following dates: Friday, December 2, Saturday, December 3, Friday, December 9, Saturday, December 10, Friday, December 16, and Saturday, December 17. If this license is approved, the total days expended by this applicant will be eight of the allowed 10 days this year.

Under the provisions of Arizona Revised Statutes Sec. 4-203.02, the Arizona Department of Liquor Licenses and Control may issue a special event liquor license only if the City Council recommends approval of such license.

The recommendation was to forward a recommendation for approval to the Arizona Department of Liquor Licenses and Control for this special event liquor license for the City of Glendale.

3. SPECIAL EVENT LIQUOR LICENSE FOR THE CITY OF GLENDALE – GLITTER AND GLOW

This is a request by Stacy Pearson for the City Council to approve a special event liquor license for the City of Glendale. This event is the annual Glitter & Glow, coordinated by the City of Glendale Marketing Department, which will be held at 5800 West Glenn Drive.

The event will be held on Saturday, January 14, 2006, from 5 p.m. to midnight. If this license is approved, the total days expended by this applicant will be one of the allowed 10 days for 2006.

Under the provisions of Arizona Revised Statutes Sec. 4-203.02, the Arizona Department of Liquor Licenses and Control may issue a special event liquor license only if the City Council recommends approval of such license.

The recommendation was to forward a recommendation for approval to the Arizona Department of Liquor Licenses and Control for this special event liquor license for the City of Glendale.

4. SPECIAL EVENT LIQUOR LICENSE FOR THE CITY OF GLENDALE – CHOCOLATE AFFAIRE

This is a request by Stacy Pearson for the City Council to approve a special event liquor license for the City of Glendale. This event is The Chocolate Affaire, coordinated by the City of Glendale Marketing Department, which will be held at 5800 West Glenn Drive.

The event will be held on Friday, February 3, 2006, from 5 p.m. to midnight; Saturday, February 4, from 10 a.m. to midnight; and Sunday, February 5, from 10 a.m. to midnight. If this license is approved, the total days expended by this applicant will be four of the allowed 10 days for 2006.

Under the provisions of Arizona Revised Statutes Sec. 4-203.02, the Arizona Department of Liquor Licenses and Control may issue a special event liquor license only if the City Council recommends approval of such license.

The recommendation was to forward a recommendation for approval to the Arizona Department of Liquor Licenses and Control for this special event liquor license for the City of Glendale.

5. SPECIAL EVENT LIQUOR LICENSE FOR THE CITY OF GLENDALE – JAZZ & BLUES FESTIVAL

This is a request by Stacy Pearson for the City Council to approve a special event liquor license for the City of Glendale. This event is the annual Jazz & Blues Festival, coordinated by the City of Glendale Marketing Department, which will be held at 5800 West Glenn Drive.

The event will be held on Friday, April 21, 2006, from 5 p.m. to midnight; Saturday, April 22, from 10 a.m. to midnight; and Sunday, April 23, from 10 a.m. to midnight. If this license is approved, the total days expended by this applicant will be seven of the allowed 10 days for 2006.

Under the provisions of Arizona Revised Statutes Sec. 4-203.02, the Arizona Department of Liquor Licenses and Control may issue a special event liquor license only if the City Council recommends approval of such license.

The recommendation was to forward a recommendation for approval to the Arizona Department of Liquor Licenses and Control for this special event liquor license for the City of Glendale.

6. SPECIAL EVENT LIQUOR LICENSE FOR THE CITY OF GLENDALE – FIESTA GLENDALE

This is a request by Stacy Pearson for the City Council to approve a special event liquor license for the City of Glendale. This event is the annual Fiesta Glendale, coordinated by the City of Glendale Marketing Department, which will be held at 5800 West Glenn Drive.

The event will be held on Friday, September 15, 2006, from 4 p.m. to midnight, and Saturday, September 16, from 4 p.m. to midnight. If this license is approved, the total days expended by this applicant will be nine of the allowed 10 days for 2006.

Under the provisions of Arizona Revised Statutes Sec. 4-203.02, the Arizona Department of Liquor Licenses and Control may issue a special event liquor license only if the City Council recommends approval of such license.

The recommendation was to forward a recommendation for approval to the Arizona Department of Liquor Licenses and Control for this special event liquor license for the City of Glendale.

7. LIQUOR LICENSE NO. 3-1013 SHABANGS BAR & GRILL

This is a request by Dorenda Cisneros for the City Council to approve a new series 12 (restaurant, all liquor) license for Shabangs Bar & Grill located at 5740 West Peoria Avenue. The previous owner operated this business as Greek Spice Grill, a restaurant.

The approval of this license will not increase the total number of liquor licenses in the area. The previous owner held a series 12 liquor license at this location.

The establishment is over 300 feet from any school or church. The City of Glendale Planning Department, the City of Glendale Police Department, and the Maricopa County Health Department have reviewed this application and have determined that it meets all technical requirements.

No protests were received during the 20-day posting period.

The recommendation was to forward a recommendation for approval to the Arizona Department of Liquor Licenses and Control for Liquor License Number 3-1013.

8. LIQUOR LICENSE NO. 3-1014 EL CHARRITO AUTHENTIC MEXICAN CUISINE

This item was removed to give the applicant an opportunity to obtain additional information.

This is a request by Juan Lopez for the City Council to approve a new series 12 (restaurant, all liquor) license for El Charrito Authentic Mexican Cuisine, located at 5410 West Glendale Avenue. The previous owner operated this business as Kumbala Bar.

The approval of this license will not increase the total number of liquor licenses in this area. The previous owner held a series 6 (On/Off Sale Retail - all liquor) at this location.

The establishment is over 300 feet from any school or church. The City of Glendale Planning Department and the Maricopa County Health Department reviewed the application and determined it meets all technical requirements.

The City of Glendale Police Department and the Tax and License Division have determined from their background of the applicant that the recommendation of denial is appropriate. Facts include the calls for service, history at the applicant's other businesses which hold, or have held, liquor licenses and business practices.

No protests were received during the 20-day posting period.

The recommendation was to forward a recommendation for denial to the Arizona Department of Liquor Licenses and Control for Liquor License Number 3-1014.

9. LIQUOR LICENSE NO. 3-1016 PASQUALE'S

This is a request by Vincent Igneri for the City Council to approve a new series 12 (restaurant, all liquor) license for Pasquale's, located at 5932 West Bell Road.

The approval of this license will increase the total number of liquor licenses in this area by one.

The establishment is over 300 feet from any school or church. The City of Glendale Planning Department, the City of Glendale Police Department, and the Maricopa County Health Department reviewed the application and determined that it meets all technical requirements.

No protests were received during the 20-day posting period.

The recommendation was to forward a recommendation for approval to the Arizona Department of Liquor Licenses and Control for Liquor License Number 3-1016.

10. LIQUOR LICENSE NO. 3-1017 JEFF'S BAR

This is a request by Jeffry Combs for the City Council to approve a series 6 (bar, on-site & off-site all liquor) license for Jeff's Bar, located at 9250 North 43rd Avenue.

The approval of this license will not increase the total number of liquor licenses in this area. The previous owner held a series 6 liquor license at this location.

The establishment is over 300 feet from any school or church. The City of Glendale Planning Department, the City of Glendale Police Department, and the Maricopa County Health Department reviewed the application and determined that it meets all technical requirements.

No protests were received during the 20-day posting period.

The recommendation was to forward a recommendation for approval to the Arizona Department of Liquor Licenses and Control for Liquor License Number 3-1017.

11. LIQUOR LICENSE NO. 3-1018 BEAR ROCK CAFES

This is a request by Merilee Fowler for the City Council to approve a new series 12 (restaurant, all liquor) license for Bear Rock Cafes, located at 8285 West Union Hills Drive.

The approval of this license will increase the total number of liquor licenses in this area by one.

The establishment is over 300 feet from any school or church. The City of Glendale Planning Department, the City of Glendale Police Department, and the Maricopa County Health Department reviewed the application and determined that it meets all technical requirements.

No protests were received during the 20-day posting period.

The recommendation was to forward a recommendation for approval to the Arizona Department of Liquor Licenses and Control for Liquor License Number 3-1018.

CONSENT RESOLUTIONS

12. ORCHARD GLEN WEED AND SEED GRANT

This is a request for the City Council to accept a grant in the amount of \$175,000 from the U.S. Department of Justice Community Capacity Development Office.

As an officially recognized Weed and Seed site, Orchard Glen Weed and Seed is one of 176 across the nation. The Weed and Seed strategy is a two-pronged approach to crime control and prevention. Law enforcement and prosecutors cooperate in “weeding out” criminals while “seeding” brings prevention, intervention, treatment, and neighborhood revitalization services.

The Weed and Seed Strategy addresses Council’s goal of ensuring public safety.

In an effort to revitalize the neighborhood, the Orchard Glen Neighborhood Association was established in 1999 to work in conjunction with the City Center Master Plan. The Association applied for official Weed and Seed recognition from the U.S. Department of Justice Community Capacity Development Office. This recognition provides access to funding from federal and state governments, allowing for the redevelopment of the neighborhood by implementing the four core strategies; law enforcement, community policing, prevention/intervention/treatment, and neighborhood restoration. For each of these four core strategies, an activity or program was developed to assist in accomplishing the established goals.

The Weed and Seed Strategy is part of a continuing effort between the city, the Police Department, the Orchard Glen Neighborhood Association and the U.S. Department of Justice. This funding provides for overtime, equipment and educational materials to address law enforcement and community policing issues, as well as prevention, intervention and treatment through school programs and neighborhood restoration.

In 2003, the Council and staff attended numerous meetings and provided input along with community residents, local businesses, school officials, and agencies serving the neighborhood to gain insight into what they believed the strengths and weaknesses of the community were and develop goals and objectives. Orchard Glen was previously awarded Community Development Block Grant (CDBG) funds and general fund grants totaling \$791,345.

This grant will assist in implementing the four core Weed and Seed Strategies for the Orchard Glen Neighborhood. Many benefits will be gained by “weeding out” the criminals who participate in violent crime, drugs and blight and “seeding” in basic human services that encompasses prevention, intervention and treatment, and neighborhood revitalization.

This funding provides for overtime, equipment, and educational materials to address law enforcement and community policing issues as well as prevention, intervention, and treatment through school programs and neighborhood restoration. The quality of life for the residents and surrounding areas will improve.

The Orchard Glen Neighborhood Association Steering Committee held numerous meetings that sought community input from the city, community residents, local businesses, school officials and agencies serving the neighborhood to gain insight into the strengths and weaknesses of the community. The information assisted in developing goals and objectives for Orchard Glen and the surrounding neighborhoods and businesses to improve the neighborhood.

There is no financial match required or on-going costs associated with the acceptance of this grant. This is a one-time grant from the U.S. Department of Justice Community Capacity Development Office. A specific account will be established in Fund 47, the city's grant fund, once the grant agreements are formally executed.

Grants	Capital Expense	One-Time Cost	Budgeted	Unbudgeted	Total
\$175,000		X	X		\$175,000

The recommendation was to waive reading beyond title and adopt a resolution accepting a grant in the amount of \$175,000 from the U.S. Department of Justice Community Capacity Development Office.

Resolution No. 3904 New Series was read by number and title only, it being **A RESOLUTION OF THE COUNCIL OF THE CITY OF GLENDALE, MARICOPA COUNTY, ARIZONA, ACCEPTING THE \$175,000 GRANT OFFER FROM THE U.S. DEPARTMENT OF JUSTICE COMMUNITY CAPACITY DEVELOPMENT OFFICE FOR THE ORCHARD GLEN WEED AND SEED SITE LOCATED IN THE CITY OF GLENDALE.**

It was moved by Eggleston and seconded by Frate, to approve the recommended actions on Consent Agenda Item Nos. 1 through 7, and Item Nos. 9 through 12 including the approval and adoption of Resolution No. 3904 New Series, and to forward Special Event Liquor License Applications for the City of Glendale Glitters Spectacular, Enchanted Evenings, Glitter and Glow, Chocolate Affaire, Jazz & Blues Festival, and Fiesta Glendale; and Liquor License Applications No. 3-1013 for Shabangs Bar & Grill, No. 3-1016 for Pasquale's; No. 3-1017 for Jeff's Bar; and No. 3-1018 for Bear Rock Cafes, to the State of Arizona Department of Liquor Licenses and Control, with the recommendation for approval. The motion carried unanimously.

BIDS AND CONTRACTS

13. UPGRADE POLICE DIGITAL VOICE RECORDING SYSTEM

Acting Police Chief Preston Becker presented this item.

This is a request for the City Council to approve the purchase of software and equipment from RTAs Systems for the upgrade of the police digital voice recording

system currently used in the Police Department. This system allows officers to use a telephone to call the digital voice recording system and dictate their criminal and/or accident reports.

RTAs Systems is a sole source vendor for the software and equipment required to upgrade the Police Department's current system that was purchased approximately 10 years ago from this vendor. Due to the RTAs Systems proprietary equipment we currently own, RTAs Systems is the only vendor that can provide this upgrade. This equipment will provide an increase in storage space for dictation from 40 hours to 400 hours; an increase in port (line capability) from 12 to 24; transcription directly from current user personal computers; supervisor tracking capabilities; and statistical information regarding use and current status of specific documents.

Providing digital voice recording capability increases the speed and quality of prepared reports for further review by detectives. This also creates opportunity for officers to return to calls for service more quickly, due to the reduction of time spent completing reports.

Funding, which has already been accrued, for the RTAs System upgrade will come from the Fiscal Year 2005-06 Police Department salary savings as approved by the City Manager's Office.

Grants	Capital Expense	One-Time Cost	Budgeted	Unbudgeted	Total
				X	\$106,578.22

Account Name, Fund, Account and Line Item Number:

Digital Voice Recording (RTA) 01-8219-8320

The recommendation was to authorize the City Manager to purchase software and equipment from RTAs Systems, in an amount not to exceed \$106,578.22, to upgrade the Police Department's digital voice recording system.

It was moved by Lieberman, and seconded by Frate, to authorize the City Manager to purchase software and equipment from RTAs Systems, in an amount not to exceed \$106,578.22, to upgrade the Police Department's digital voice recording system. The motion carried unanimously.

14. PROFESSIONAL SERVICES AGREEMENT - BICYCLE/PEDESTRIAN BRIDGE, BICYCLE ROUTE IMPROVEMENTS

Mr. Terry Johnson, Transportation Program Administrator presented this item.

This is a request for the City Council to approve a professional services agreement with Parsons Transportation Group for engineering design of a

bicycle/pedestrian bridge at 63rd Avenue and Loop 101, and bicycle route improvements along 63rd Avenue from Grand to Olive Avenues.

This project supports the Council's goals of ensuring public safety, creating transportation options and enhancing the quality of life for Glendale residents.

The bicycle/pedestrian bridge and the 63rd Avenue bike route improvements will provide a safer bicycle and pedestrian route system by providing a crossing over Loop 101 and bicycle lanes on 63rd Avenue between Grand and Olive Avenues. The Transportation Department applied for, and received, grant assistance from Congestion Management and Air Quality (CMAQ) funds in fiscal years 2007 and 2008 in the amount of \$1,916,000. In addition, moving forward with the design at this time would place the City in a position to apply for additional close-out funds should funds become available next year from the Maricopa Association of Governments (MAG).

On April 12, 2005, the Council awarded a contract to Nickle Contracting, LLC. for the construction of the 63rd and Northern Avenues Community Park, which includes the portion of the 63rd Avenue bicycle route improvements between Frier Drive and Northern Avenue.

On January 13, 2004, the Council approved a professional services agreement with Parsons Transportation Group to include a conceptual design of the bicycle/pedestrian bridge to minimize the reconstruction of the noise wall between 67th and 59th Avenues on Loop 101.

On November 25, 2003, the Council approved the design concept for the bicycle/pedestrian bridge.

On March 6, 2003, the Citizens Transportation Oversight Commission (CTOC) reviewed and accepted the design concept for the bicycle/pedestrian bridge.

The bicycle/pedestrian bridge will provide safe access over Loop 101 for adults and children who currently must use busy arterial crossings, and the 63rd Avenue bike route improvements will provide 6-foot wide striped bicycle lanes that will allow additional space for bicyclists.

At the September 4, 2003 Citizens Transportation Oversight Commission (CTOC) meeting, approximately 15 representatives from the Glendale Bicycle Advisory Committee and two regional bicycle clubs expressed their support for the bridge project.

On July 9, 2003, Transportation Department staff met with approximately 15 residents of the Enclave neighborhood located near the bicycle/pedestrian bridge project site to discuss design options for the bridge. Comments by the residents have been taken into consideration in the design of this project.

On February 27, 2003, a meeting was held at the Foothills Public Library for the public to review two proposed design options for the bicycle/pedestrian bridge. Approximately 25 Glendale residents attended and provided responses to survey questions regarding the proposed project.

Future public meetings will be held with the citizens in the project areas.

Engineering Department staff negotiated a scope of work and fee for design services with Parsons Transportation Group in the amount of \$742,882. A fund transfer is required from 75th/83rd/Glendale Street Improvements, Account No. 33-9486-8330 in the amount of \$434,882 to: (1) 63rd /Grand Ave. – Olive Ave. Bike Route, Account No. 33-9459-8330 in the amount of \$91,973, and (2) 63rd Ave. @ Loop 101 – Bike Bridge, Account No. 33-9495-8330 in the amount of \$342,909.

Grants	Capital Expense	One-Time Cost	Budgeted	Unbudgeted	Total
	X		X		\$742,882
<u>Account Name, Fund, Account and Line Item Number:</u>					
63 rd /Grand Ave. – Olive Ave. Bike Route, 33-9459-8330 \$148,213					
63 rd Ave. @ Loop 101 – Bike Bridge, 33-9495-8330 \$594,669					

The recommendation was to approve the fund transfer and award a contract to Parsons Transportation Group in the amount not to exceed \$742,882.

Councilmember Lieberman asked if the professional services agreement relates solely to the design of the two bicycle projects. Mr. Johnson responded yes.

Mayor Scruggs opened the public hearing on Agenda Item No. 14.

Richard Lorange, a resident of the City of Glendale Cactus District, stated he is Chairperson of the Coalition of Arizona Bicyclists and chairs the organization's Education Committee. He said their group advocates anything that makes bicycling safer and easier to do. He stated people that will be more inclined to ride bikes if they can eliminate some of the factors that make bicycling stressful. He strongly recommended they approve the project.

Mayor Scruggs closed the public hearing.

It was moved by Martinez, and seconded by Lieberman, to approve the fund transfer and award a contract to Parsons Transportation Group in the amount not to exceed \$742,882. The motion carried unanimously.

15. STADIUM RELATED ROAD IMPROVEMENTS

Mr. Larry Broyles, City Engineer presented this item.

This is a request for the City Council to award a second and final phase Guaranteed Maximum Price (GMP) construction contract with Hunter Contracting Co., for the construction of Bethany Home Road between 91st Avenue and the Loop 101, and to approve the necessary transfers to complete payments to Arizona Sports and Tourism Authority (AZSTA) as per development agreement for the construction of street, bridge and water system improvements to 95th Avenue between Maryland Avenue and Bethany Home Road.

This project is consistent with the Council goals of ensuring public safety, managing growth, and creating transportation options.

Construction of the Arizona Sports and Tourism Authority (AZSTA) multi-purpose stadium and the Glendale Arena has created a need for increased transportation capacity. This construction project also includes installation of a new water transmission main in the Bethany Home Outfall Channel between 83rd and 91st Avenues, a bridge widening over the Grand Canal at 91st Avenue, and relocation of numerous Salt River Project structures and pipelines.

On September 28, 2004, the Council adopted a resolution authorizing the entering into of a memorandum of agreement with the AZSTA for a multi-use stadium and related improvements. On July 26, 2005, the Council awarded the phase one GMP construction contract with Hunter Contracting Co. to construct the improvements in 91st Avenue. Design contracts with Wood Patel for the design of 91st Avenue and with DMJM for the design of Bethany Home Road were approved in 2004.

The improvements to Bethany Home Road will provide a link between 91st Avenue and the Loop 101 and will connect to the extension of 95th Avenue. This will enhance traffic flow during event traffic from the stadium and arena and mitigate traffic congestion during normal traffic conditions.

A public meeting was held on June 8, 2005, to introduce the public to the project and receive their input.

Funds are available for the proposed projects in the Fiscal Year's 2005-07 Capital Improvement Program budget. To facilitate the payment process for the Bethany Home Road, 91st to 99th Avenues project, a transfer is require from L101/BH TI-South Half, Account No. 33-9383-8300 (\$4,050,000) to Bethany Home 83rd to 99th, Account No. 33-9466-8300.

To facilitate the payment process for the 95th Avenue, Maryland Avenue to Bethany Home Road, project a transfer is required from DIF Arterials, Account No. 94-8993-8320 (\$1,219,607), DIF Major Arterials, Account No. 94-8992-8320 (\$877,448),

and Missouri Ave. 91st to 95th Ave., Account No. 94-9567-8330 (\$393,920), to 95th Ave. Maryland to Bethany Home Ave., Account No. 94-9589-8300.

Grants	Capital Expense	One-Time Cost	Budgeted	Unbudgeted	Total
	X		X		\$15,449,756

Account Name, Fund, Account and Line Item Number:

FY 05-06 Bethany Home-83rd to 99th, Account No. 33-9466-8300 (\$5,350,000)
FY 05-06 Bethany Home 91st to 99th, Account No. 61-8820-8300 (\$297,881)
FY 05-06 Zone 4 Improvements, Account No. 83-9232-8300 (\$1,000,000)
FY 06-07 Zone 4 Improvements, Account No. 83-9232-8300 (\$300,000)
FY 05-06 Westgate Transmission Line, Account No. 83-9292-8300 (\$900,000)
FY 05-06 91st Ave., Camelback-Maryland, Account No. 61-9257-8300 (\$375,500)
FY 05-06 Out Loop Effluent Line, Account No. 83-9269-8300 (\$160,000)
FY 05-06 Sewer Line Replacement, Account No. 84-9623-8300 (\$589,600)
FY 05-06 95th Ave Maryland-BH Road, Account No. 33-9385-8300 (\$3,985,800)
FY 05-06 95th Ave Maryland-BH Road, Account No. 94-9589-8300 (\$2,490,975)

The recommendation was to authorize the budget transfer and award the Guaranteed Maximum Price construction contract to Hunter Contracting Co. in the amount of \$8,972,981, and authorize the budget transfer for payments to Arizona Sports and Tourism Authority (AZSTA) as per development agreement in the amount of \$6,476,775.

Councilmember Lieberman asked if the contract includes the tying in of Bethany Home Road and the Bethany Home Road overpass. Mr. Johnson said the project for the south half of the traffic interchange at Bethany Home Road completes the ADOT improvements east to 99th Avenue. He explained the proposed project picks up where ADOT leaves off and completes Bethany Home Road to 91st Avenue.

Councilmember Lieberman asked if there are plans for a park in the area. Mr. Johnson said the Bethany Home Outfall Channel is a combination storm drain channel and trail system. He stated there are no large parks in the area, except for a recently approved youth field project at the northwest corner of 91st Avenue and Bethany Home Road. Councilmember Lieberman asked if there will be entrances from the road to the water park that will be immediately north of the road along the canal. Mr. Johnson was not familiar with the project.

It was moved by Lieberman, and seconded by Clark, to authorize the budget transfer and award the Guaranteed Maximum Price construction contract to Hunter Contracting Co. in the amount of \$8,972,981, and authorize the budget transfer for payments to Arizona Sports and Tourism Authority (AZSTA) as per development agreement in the amount of \$6,476,775.

Vice Mayor Eggleston commented that the issue has been discussed and studied by the Council for more than a year. He expressed his opinion that the project will greatly improve transportation in the stadium and arena area.

The motion carried unanimously.

PUBLIC HEARING – RESOLUTIONS

16. GLENDALE 303 – 16351 WEST PEORIA AVENUE
A. GENERAL PLAN AMENDMENT GPA05-10
B. REZONING APPLICATION ZON05-17

Mr. Jon Froke, AICP, Planning Director presented this item.

These are requests by Withey, Anderson and Morris, PLC for the City Council to approve a General Plan amendment and rezoning application for a property located at 16351 West Peoria Avenue. The name of the proposed development is “Glendale 303”.

The General Plan amendment is to change the land use designation for 60 acres from Low Density Residential (0-1 dwelling units per acre) to Planned Commercial (PC). The rezoning request is to change the zoning designation for 105.55 acres from C-2 (General Commercial) and M-1 (Light Industrial) to PAD (Planned Area Development).

The proposed General Plan Amendment and Rezoning requests are consistent with the Economic Development and Growth Areas elements of the Glendale General Plan.

The applicant intends to develop the 105.55-acre property with either motor vehicle dealerships and related uses or a combination of motor vehicle dealerships and retail uses. At this time, no specific users have been identified.

This item was continued from the October 25, 2005 City Council public hearing.

On September 15, 2005, the Planning Commission recommended approval of the General Plan amendment and approval of the rezoning application, subject to nine stipulations.

The proposed project will combine several parcels, now zoned for both commercial and industrial uses, to create a planned commercial development that will be developed as a unified center. The project will increase local revenue, provide a sound location for commercial uses in the Loop 303 corridor, and support future residential growth in the area.

The applicant sent 66 notification letters to property owners within 300 feet of the site and to interested parties on August 18, 2005. Neither the applicant nor the Planning Department received any response to the applicant's notification letters.

A public notice for the September 15, 2005 Planning Commission hearing on these applications was published in the Glendale Star on August 25, 2005. The property was posted on August 25, 2005. Letters were mailed to 66 property owners and interested parties on August 25, 2005. At the public hearing, two people spoke to this request. One requested that a rural lifestyle be maintained in this area. The other stated, for the record, that he did not want development of the project to disturb irrigation flow to his property. This individual currently farms the 40 acres located southeast of this parcel. The applicant confirmed that he will maintain irrigation to the adjacent property.

A public notice for tonight's hearing was published in the Glendale Star on September 29, 2005. The property was posted on August 25, 2005. Post cards were mailed to 66 property owners and interested parties on September 30, 2005.

The recommendation was to conduct a public hearing, waive reading beyond the title, adopt a resolution, and approve General Plan Amendment GPA05-10 and Rezoning Application ZON05-17, subject to stipulations.

Councilmember Goulet referred to the second paragraph on Page 4 of the PAD, asking what is intended by the reference to a visually prestigious design. Mr. Froke said the intent is to have elements tie together to provide a theme.

Councilmember Goulet asked if another design standard will take precedence if certain uses anticipated at this time do not, in fact, materialize. Mr. Froke said the conceptual land use plan for Glendale 303 sets the framework for development of the subject property. He stated, assuming the General Plan Amendment and PAD zoning is approved, staff will work with the applicant and final users on each parcel. He noted each site will go through the city's design review process before development occurs.

Councilmember Goulet asked what will trigger future changes, such as the expansion to a ten lane-divided access-controlled facility. He also asked if sufficient land will be set aside for future growth. Mr. Froke said one of the stipulations requires the applicant to provide a traffic impact study before any development occurs. He assured Councilmember Goulet that rights-of-way and street improvements are built into the PAD.

Mayor Scruggs asked if they are approving the PAD date stamped November 3. Mr. Froke explained there are no stipulations associated with the General Plan Amendment, but the zoning case is subject to eight stipulations. He said it is typical to stipulate a PAD to the document.

Mike Withey, Applicant's representative, said they support staff's recommendation for approval. He explained they made the changes to the PAD document as staff requested, stating the staff report references the new plan date stamped November 3.

Mayor Scruggs opened the public hearing on Agenda Item No. 16. As there were no comments, Mayor Scruggs closed the public hearing.

Resolution No. 3905 New Series was read by number and title only, it being **A RESOLUTION OF THE COUNCIL OF THE CITY OF GLENDALE, MARICOPA COUNTY, ARIZONA, AMENDING THE GENERAL PLAN MAP OF THE CITY OF GLENDALE, ARIZONA, BY APPROVING GENERAL PLAN AMENDMENT GPA05-10 FOR PROPERTY LOCATED AT 16351 WEST PEORIA AVENUE.**

It was moved by Clark, and seconded by Martinez, to pass, adopt and approve Resolution No. 3905 New Series. The motion carried unanimously.

ORDINANCES

17. DEDICATION OF RIGHT OF WAY: NORTHERN AVENUE BETWEEN 111TH AND 115TH AVENUES

Mr. Larry Broyles, City Engineer, presented this item.

This is a request for the City Council to dedicate a seven-foot wide strip of land to Maricopa County as public right-of-way. The strip, owned by the city, is located within future Northern Avenue right-of-way between 111th and 115th Avenues.

The city acquired the seven-foot wide strip of land in 1977, but never dedicated it as public right-of-way. The strip is located between the north side of the city's annexation strip, which is to the south of this property, and the south edge of the original Maricopa County 33-foot right-of-way. Dedication of this right-of-way will have no negative impact on the future Northern Avenue Parkway project.

The recommendation was to waive reading beyond the title and adopt an ordinance authorizing the City Manager to sign all documents necessary for the dedication of real property to Maricopa County for public roadway purposes.

Ordinance No. 2468 New Series was read by number and title only, it being **AN ORDINANCE OF THE COUNCIL OF THE CITY OF GLENDALE, MARICOPA COUNTY, ARIZONA, AUTHORIZING THE CITY MANAGER TO EXECUTE A DEDICATION OF RIGHT-OF-WAY FOR NORTHERN AVENUE BETWEEN 111TH AND 115TH AVENUES IN THE CITY OF GLENDALE; AND ORDERING THAT A CERTIFIED COPY OF THIS ORDINANCE BE RECORDED.**

It was moved by Frate, and seconded by Martinez, to approve Ordinance No. 2468 New Series. Motion carried on a roll call vote, with the following Councilmembers voting “aye”: Clark, Goulet, Lieberman, Eggleston, Martinez, Frate, and Scruggs. Members voting “nay”: none.

18. RESCINDING OF ORDINANCE NO. 2467 NEW SERIES: 16351 WEST PEORIA AVENUE

Mr. Ed Beasley, City Manager, asked that this item be removed from the agenda.

This is a request for the City Council to approve an ordinance rescinding the annexation of 105 acres located at the southeast corner of Loop 303 and Peoria Avenue.

This action is in compliance with the developer’s option to rescind the annexation granted in the development agreement (C-5406) associated with this site.

The 105.013-acre site is located at the southeast corner of Loop 303 and Peoria Avenue and abuts the Glendale strip annexation boundary along Peoria Avenue.

Ordinance No. 2467 News Series was approved by the City Council at the October 11, 2005 meeting. Ordinance 2467 would have become effective on November 10, 2005.

Development Agreement C-5406 included a clause to have the annexation of this 105 acres rescinded before the effective date if the zoning for the site was not approved or stipulations on the zoning was not acceptable to the developer.

The recommendation was to waive reading beyond the title and adopt the Ordinance rescinding the annexation originally approved by the City Council in Ordinance No. 2467, New Series.

Ordinance No. 2469 New Series was read by number and title only, it being **AN ORDINANCE OF THE COUNCIL OF THE CITY OF GLENDALE, MARICOPA COUNTY, ARIZONA, RESCINDING ORDINANCE NO. 2467, NEW SERIES, RELATING TO ANNEXATION AREA NO. 158; AND DECLARING AN EMERGENCY.**

REQUEST FOR FUTURE WORKSHOP AND EXECUTIVE SESSION

It was moved by Eggleston, and seconded by Clark, to hold a City Council Workshop at 1:30 p.m. in Room B-3 of the City Council Chambers on Tuesday, November 15, 2005, to be followed by an Executive Session pursuant to A.R.S. 38-431.03.

Councilmember Clark asked if they needed to announce the special meeting to be held November 10. Mr. Tindall said it would be fine to note the special meeting in the record.

The motion carried unanimously.

CITIZEN COMMENTS

No requests to speak were submitted.

COUNCIL COMMENTS AND SUGGESTIONS

Councilmember Goulet thanked the Veterans for the parade held last Saturday and for their invitation to participate. He said he toured the new downtown plaza and the community is in for a treat when it opens.

Councilmember Lieberman noted a Flag Raising will be held at the Veteran's Memorial on Brown and 59th Avenue at 10:00 a.m. on November 11. He stated That Thursday Thing will take place again next Thursday.

Vice Mayor Eggleston said the Hummer and Harley Ride event rose over \$70,000 to support St. Mary's Food Bank and St. Vincent DePaul.

Councilmember Frate thanked the Disabled American Veterans Chapter 20 for sponsoring the Veteran's Day Parade, noting there were over 100 entries. He stated the Historic Downtown Glendale Walking Tour took place last Saturday. He said he was at the Human Services Campus last Monday, explaining they provide shelter, medical services, and resources to the homeless. He cautioned people to be careful with candles and urged everyone to watch children around water.

Mayor Scruggs announced Henry Bonda passed away November 5, stating he was a long time volunteer coach for the City of Glendale. She encouraged those who knew him to contact the Heritage Funeral Chapel, noting visitation will be tomorrow from 6:00 to 9:00 p.m. and the service will be at 10:00 a.m. on Thursday.

ADJOURNMENT

There being no further business, the meeting was adjourned at 7:55 p.m.

Pamela Hanna - City Clerk